REMARKS

This application pertains to a novel redetachable device.

Claims 1, 5, 7-13 and 18 are pending, claim 17 being canceled by this amendment.

Claims 1, 5, 7, 8, 10-13 and 17 stand rejected under 35 U.S.C. 112, 2nd paragraph, for various reasons more specifically indicated in the Office Action. Each of the issues raised by the Examiner in this rejection are addressed as follows:

The Examiner views the "surface" that is bonded to the two-sided adhesive tape in claim 1 and elsewhere as having no structure. However, claim 1 recites "...a structure comprising a surface...", and there is nothing indefinite about that. Those skilled in the art will have no trouble understanding what this surface is. The surface is part of the structure...it is a surface of the structure. Claim 1 particularly points out and distinctly claims the subject matter which Applicants regard as their invention, and the recitation in this claim of the surface does not violate any provision of 35 U.S.C. 112, 2nd paragraph in any way.

The Examiner indicates that the double-sided adhesive sheet is referred to at times as a "strip" in claims 1, 10, 11 and elsewhere, and that this adds no meaningful structure to the claimed limitation. The claims have now been amended to delete the term "sheet" and consistently use the term "strip". Everyone knows what a "strip" is, and it is believed that no further structural definition is required for this to be understood

by those skilled in the art.

The Examiner finds the expression "of a kind that is" in claim 1 to be vague, indefinite and redundant. This expression has now been canceled from the claim.

The Examiner finds that the phrase "the strip in the direction of the bond plane" lacks antecedent support. The claim has now been amended to refer to "a plane formed between the strip and the surface it is bonded to". This amendment is believed to obviate the rejection with respect to the phrase "the strip in the direction of the bond plane".

Claim 5 should, in the Examiner's view, use Markush language. Applicants have carefully considered amending the claim to Markush language, but believe that in this case, Markush language would make the claim language awkward. The present language is, in Applicants' view, better. In this regard it is respectfully pointed out that MPEP 2173.05(h) provides that, while Markush language is an available alternative, "conventional" language such as that used by Applicants herein is perfectly acceptable.

Regarding claim 7, "area" is an inherent part of a surface, and needs no specific recitation for antecedent support (See MPEP 2173.05(e)..."the outer surface of said sphere would not require an antecedent recitation that the sphere has an outer surface".).

Also in claim 7, the first and second lines of the claim recite "said surface has two opposite edges", thereby providing antecedent support for "said two opposite edges".

Regarding claim 8, the spacers are an element of the device and have a known relationship to the device. Spacers are known, for example, from US 5,928,747, which reference is specifically referred to in the second full paragraph of page 6 of the specification. The spacers are also illustrated in Figs. 3 and 4 of Applicants' specification (elements 8A-8C), and are explained at page 8, 4th paragraph. Accordingly, all persons skilled in the art will know what the spacers are as well as their relationship to the device.

The Examiner expresses concern that in claim 11, the same element appears to be referred to as "the adhesive sheet strip", as "the sheet" and as "the adhesive sheet". This claim has been amended to recite "the double-sided adhesive strip"

Regarding claim 12, the Examiner sees the term "surface" with reference to the adhesive sheet strip and with reference to the device as lacking antecedent support. Claim 1 has been amended to provide antecedent support for the surface of the device, and the expression "surface" as applied to the adhesive strip has been amended to –side–. which is consistent with the recitation of the same element in claim 1.

The term "its front face, laterally or both" in claim 13 is seen by the Examiner as vague, indefinite and confusing. This language has now been canceled from the claim.

Claim 17, which was dependent upon now canceled claim 9, has now been canceled.

The foregoing amendments and remarks are believed to obviate the 35 U.S.C. 112, 2nd paragraph rejection, and this rejection should now be withdrawn.

Turning now to the art rejection, claims 1, 5, 7, 8, 10-13, 17 and 18 stand rejected under 35 U.S.C. 102(b) as anticipated by or alternatively, under 35 USC 103(a) as obvious over Lühmann '397 (= EP 0 832 588 A2).

The Lühmann '397 reference discloses the use of plates which, on the grip side, in the edge region of the adhesive bond, contain a material ***which has a lowest possible coefficient of stick friction and a low coefficient of slip friction with respect to the adhesive film*** (col. 4, lines12-14). At col 5, beginning at line 36, Lühmann '397 describes the materials used as fluorine-containing polymers, such as perfluorinated polymers, organo-silicone polymers.

Applicants annex a copy of an 8-page paper found over the internet, entitled "Resistive Force of Friction". At about the middle of the first page of this article, the Examiner will find the statement that "Friction is caused by the roughness of the materials rubbing against each other...".

It is therefore clear that to obtain the low degrees of friction called for by Lühmann, one would turn to a smooth surface; not a rough surface.

Applicants, however, take the exactly opposite direction in their claims...Applicants require a roughened surface and, in their specification, show that this can be obtained e.g. by etching, grinding, embossing or spark erosion (page 6, 3rd full paragraph of text).

The Examiner has, in the past, referred specifically to column 5, lines 29-34 as teaching how to adjust the fictional coefficients so as to obtain the desired frictional characteristics. The Examiner equates the "frictional" characteristics to "roughness", but the reference does not teach this – this is the Examiner's own conclusion. It should be noted, however, that for the present application, "average roughness" has a specific technical meaning, as defined by DIN 4768. More to the point, however, is that the very paragraph that the Examiner refers to is directed towards **reducing** frictional force (col. 5, line 34) using e.g. low-energy plastic. All persons skilled in the art would see this as the **antithesis** of induced roughness, such as is required in Applicants' claims.

Lühmann reduces the force required to remove the adhesive tape from the surface by applying a low-stick (i.e., low energy) plastic, to obtain "low stick friction". Applicants' reduce the adhesion of the adhesive tape to the surface by roughening the surface, thereby reducing the contact area between the surface and the adhesive tape. While both techniques can reduce the adhesion of the adhesive tape to the surface, and

neither technique excludes the other, the fact is that neither suggests the other. The two techniques are based on two different physical effects. These effects have no relationship to each other. Those skilled in the art reading about Lühmann's use of low-energy surfaces, such as poly(tetrafluoroethylene) [col. 5, line 39] would certainly not be led to the use of a roughened surface, particularly in view of Lühmann's requirement for low friction whereas those skilled in the art understand that roughening a surface would increase its friction.

Clearly, the teachings of Lühmann '397 are in the opposite direction of Applicants' claims, and Lühmann '397 cannot possibly be seen as teaching devices having roughened surfaces, as claimed by Applicants.

In addition, since Lühmann '397 teaches in the opposite direction of Applicants' claims, Lühmann '397 cannot fairly be seen as in any way suggesting the changes that would be necessary to arrive at Applicants' device.

Applicants' claims are neither anticipated nor suggested by Lühmann '397, and the rejection of claims 1, 5, 7, 8, 10-13, 17 and 18 under 35 U.S.C. 102(b) as anticipated by or alternatively, under 35 USC 103(a) as obvious over Lühmann '397 (= EP 0 832 588 A2) should now be withdrawn.

In view of the present amendments and remarks it is believed that claims 1, 5, 7-13 and 18 are now in condition for allowance. Reconsideration of said claims by the

Examiner is respectfully requested and the allowance thereof is courteously solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By _____
William C. Gerstenzang
Reg. No. 27,552

WCG:zs
Enclosures: Petition for Extension of Time (1 sheet)
"Resistive Force of Friction" (8 sheets)
875 Third Avenue - 18th Floor
New York, New York 10022
(212) 808-0700

I hereby certify that this correspondence is being transmitted via facsimile no. 703-872-9306 to the United States Patent and Trademark Office, addressed to: Mail Amendment, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 12, 2005.

By _____
Zsuzsa Schuster

Date May 12, 2005